

REMARKS

The present amendment is in response to the Office Action mailed June 17, 2004, in which Claims 1, 3-5 and 7-9 were rejected. Claims 6 and 10-16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 17-23 and 25-28 were allowed. Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the reference cited therein. The following remarks are believed to be fully responsive to the Office Action and, when coupled with the above amendments, are believed to render the claims at issue patentably distinguishable over the cited reference.

Claims 1, 3-23 and 25-28 remain pending. Claims 1 and 7 are amended. Applicant respectfully submits that no new matter has been added and that the originally filed specification, drawings, and claims support the amendments.

1. Objection of Claims 1 and 7 under 35 U.S.C. 112

The Examiner has objected to Claims 1 and 7 under 35 U.S.C. 112. The applicant amends claims 1 and 7 to overcome this objection.

2. Rejection of Claims 1, 4, 5, 7 and 9 under 35 U.S.C. 102(b)

The Examiner has rejected Claims 1, 4, 5, 7 and 9 under 35 U.S.C. §102(b), as being anticipated by Ker et al. (US#5,631,793).

According to the present invention, amended claim 1 and claim 7 recites that the ESD device is coupled to a first power supply and a second power supply as shown in

figure 4 and figure 6, respectively. Additionally, the source electrode of the first transistor is coupled to the high voltage source of the first power supply and the drain electrode of the transistor is coupled to the high voltage source of the second power supply. This first transistor can provide a current route between the high voltage source of the first power supply and the high voltage source of the second power supply on an ESD event. In other words, when an ESD event happens, the two high voltage sources of the first and second power supplies will be connected together.

However, according to figure 2 of Ker, the source electrode and the drain electrode are not coupled to two high voltage sources respectively belong to two different power supplies. Therefore, when an ESD event happens, there are no two high voltage sources connected together.

Accordingly, nowhere in Ker is taught or suggested that the ESD device can be coupled to two different power supplies. And nowhere in Ker is taught or suggested that the source electrode and the drain electrode of the transistor are respectively coupled to the high voltage sources of the first and second power supplies for providing a current route on an ESD event. Thus, the subject matter as taught in amended claim 1 is not be anticipated by Ker.

3. Rejection of Claims 3 and 8 under 35 U.S.C. 103(a)

Insofar as claims 3 and 8 respectively depend from independent claims 1 and 7 and add further limitations thereto, they are allowable.

Further, since the two inventions are different types of ESD protection circuits, it would not have been obvious based on the teachings of Ker to provide a protection circuit having the same structure as recited in amended claim 1 and claim 7. Thus, the subject matter of amended claim 1 and claim 7 is not obvious over Ker and

therefore patentable over Ker. Likewise, by virtue of their dependence on patentable claim 1 and claim 7, claims 3 and 8 are also nonobvious and patentable over Ker.

4. Allowable Subject Matter

With respect to paragraph 6 at page 5 of the Office Action, the Examiner allowed claims 17-23 and 25-28. Claims 17-23 and 25-28 remain pending.

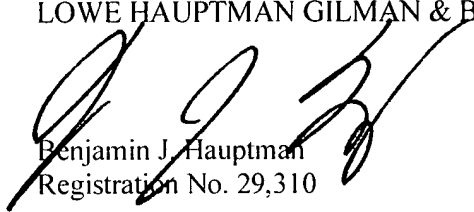
CONCLUSION

In light of the above amendments and remarks, Applicant respectfully submits that all pending claims as currently presented are in condition for allowance and hereby respectfully request reconsideration. Applicant respectfully requests the Examiner to pass the case to issue at the earliest convenience.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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